

## REMARKS

Reconsideration of the application is requested.

Claims 1-5 remain in the application and are subject to examination.

Under the heading "Claim Rejections – 35 USC § 102" on page 3 of the above-identified Office Action, claims 1-3 have been rejected as being fully anticipated by U.S. Patent No. 6,912,306 to Nakabayashi et al. under 35 U.S.C. § 102.

Applicant respectfully traverses.

Nakabayashi et al. do not teach a method incorporating a white point (X, Y, Z), but rather only teach using an absolute luminance  $Y_{MW}$  of the medium, for example, the image display 2 or a sheet of paper (See column 6, line 65 through column 7, line 44). A white point is a set of tristimulus values or chromaticity coordinates defining the color white.

In contrast, claim 1 defines a method of transforming color values of a first device-dependent color space into color values of a second device-dependent color space, to effect a substantially identical visual impression of colors reproduced in the first and second color spaces, the method which comprises:

providing a first color profile characterizing the first color space and providing a second color profile characterizing the second color space;

wherein the first and second color profiles specify an association between the color values of the first and second device-dependent color spaces and the color values of a device-independent color space;

wherein a white point of the first device-dependent color space, a white point of the second device-dependent color space, and a white point of the device-independent color space are described by device-independent white point values;

determining relative color values of the device-independent color space from the color values of the first device-dependent color space by way of the association specified in the first color profile;

converting the relative color values into absolute color values in a ratio corresponding to a ratio of the values of the white point of the first device-dependent color space and the white point of the device-independent color space;

determining chromatically adapted color values from the absolute color values by way of a chromatic adaptation transformation, the chromatic adaptation transformation includes converting the absolute color values into receptor signals L, M, S of color receptors by use of matrix multiplication;

converting the chromatically adapted color values into relative chromatically adapted color values in a ratio corresponding to a ratio of the values of the white point of the device-independent color space and the white point of the second device-dependent color space; and

determining color values of the second device-dependent color space from the relative chromatically adapted color values by way of the association specified in the second color profile.

The invention defined by claim 1 is simply not taught or suggested in Nakabayashi et al. Nakabayashi et al. teach a process taking black adaptation into account by converting XYZ values into cone signals using chromatic adaptation transformations. The reference considers the black adaptation of medium that is affected by ambient light and the medium itself. The influence of the medium that is considered is just the absolute luminance  $Y_{MW}$  of the medium. The white point itself with all of the components XYZ is not important for the black adaptation taught by the reference.

Under the heading "Claim Rejections – 35 USC § 103" on page 6 of the above-identified Office Action, claims 4 and 5 have been rejected as being obvious over U.S. Patent No. 6,912,306 to Nakabayashi et al. in view of Kim Jin-Seo et al. (Development of Color Management System Prototype) under 35 U.S.C. § 103. Applicant respectfully traverses.

Even if it would have been obvious to combine the teachings of Nakabayashi et al. and Kim Jin-Seo et al. (Development of Color Management System Prototype) as alleged by the Examiner, the invention as defined by claim 1 could not have been obtained for the reasons specified above. The invention as defined by claims 4 and 5 also would not have been obtained.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

In view of the foregoing, reconsideration and allowance of claims 1-5 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stermer LLP, No. 12-1099.

Respectfully submitted,

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